



36X1

PATENT / DOCKET NO. 30545.65  
Customer No. 000027683

0360

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Harold J. Trece

§ Art Unit: 3671  
§  
§ Examiner: Novosad, Christopher J.  
§  
§  
§ Attorney Docket No.: 30545.65  
§  
§ Customer No.: 000027683  
§

Serial No.:  
Divisional Reissue of US  
Serial No. 09/970,432

Filed: herewith

For:  
UNIVERSAL CEMENTING PLUG

**RESPONSE TO NOTICE OF INCOMPLETE**  
**REISSUE APPLICATION mailed February 12, 2003**

**RECEIVED**

APR 18 2003

**GROUP 3600**Commissioner of Patents  
**ATTENTION: Box Missing Parts**  
Washington, D. C. 20231

Dear Sir:

In response to the *Notice of Incomplete Reissue Application Filed Under 37 CFR 1.53(b)* mailed February 12, 2003 and in accordance with the telephone conference with David Bagnell, USPTO Director of Group 3761, regarding the above-identified application, Applicant submits the following documents:

1. copy of Notice of Incomplete Reissue Application Filed Under 37 CFR 1.53(b) mailed February 12, 2003;
2. copy of US Patent No. 6,196,311
3. copy of parent application (serial No. 09/970,432):
  - Reissue Application: Consent of Assignee; Statement of Non-Assignment
  - Statement Under 37 CFR 3.73(b)
  - Statement of Status/Support for All Changes to Claims Under 37 CFR 1.173(c)
  - copy of recorded assignment of Serial No. 09/175,664 now US Patent No. 6,196,311
4. copy of the application documents filed on November 27, 2003:
  - copy of Divisional Reissue Patent Application transmittal;
  - copy of Fee Transmittal Form filed ;
  - copy of Application Data Sheet;
  - copy of Preliminary Amendment;
  - copies of documents from parent application (serial No. 09/970,432):
    - copy of Reissue Oath/Declaration;
    - copy of Preliminary Amendment filed on October 3, 2001
    - copy of Amendment filed August 29, 2002
    - copy Response to Office Action Mailed September 16, 2002 filed October 10, 2002 (restriction/election);

In view of the above documents, Applicant request a filing date to be accorded to the referenced application.

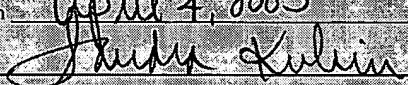
The Commissioner is hereby authorized to charge any further fees associated with this communication or to credit any overpayment to Deposit Account No. 08-1394.

Respectfully submitted,

  
Warren B. Kice  
Reg. No. 22,752

Date: 4/9/03

HAYNES AND BOONE, LLP  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Phone: 214/651-5066  
Fax: 214/651-5940  
File: 30545.65

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231	
On:	<u>April 9, 2003</u>
	
SANDRA KUBIN	



Commissioner for Patents  
Washington, DC 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/307,113	11/27/2002	Harold O. Treen	30545.65

27683  
HAYNES AND BOONE, LLP  
901 MAIN STREET, SUITE 3100  
DALLAS, TX 75202

**CONFIRMATION NO. 4115**  
**FORMALITIES LETTER**



\*OC000000009511050\*

Date Mailed: 02/12/2003

**NOTICE OF INCOMPLETE REISSUE APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

A filing date has NOT been accorded to the above identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The specification is missing.  
*A complete specification as prescribed by 35 U.S.C. 112 is required.*

The required items noted below SHOULD be filed along with any items required above. The filing date of this reissue application will be the date of receipt of the items required above.

- Consent of assignee is missing. 37 CFR 1.172 requires that a reissue oath/declaration be accompanied by the written consent of all assignees.
- Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.172 requires that all assignees consenting to the reissue application establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b).

*A copy of this notice **MUST** be returned with the reply.*

Nathaniel R. Hayes

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

**RECEIVED**  
APR 18 2003  
**GROUP 3600**

PART 2 - COPY TO BE RETURNED WITH RESPONSE



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

In the application of:  
Harold O. Trece§  
§ Attorney Docket No.: 30545.11  
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§Serial No.: Reissue of  
US Patent No. 6,196,311§  
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§  
§

Filed: Herewith

For: UNIVERSAL CEMENTING PLUG

**STATEMENT OF STATUS/SUPPORT FOR ALL CHANGES TO CLAIMS  
UNDER 37 CFR 1.173(c)**Attn: Box Reissue  
Commissioner For Patents  
Washington, D.C. 20231

Dear Sir:

Claims 52-113 have been added to original patent claims 1-51 in the above-identified re-issue application based upon United States Patent Number 6,196,311.

Support in the patent specification and drawings for the added Claims 52 -113 is as follows:

**Claims**

52-113

**Support**Col. 4, line 12 through Col. 6 line56 and  
Figs. 1, 4, 5, and 6Dated: 10/3/01

Respectfully submitted,

Warren B. Kice  
Registration No. 22,732Express Mail No.: EL418587208US Date of Deposit: Oct. 3, 2001

This paper and fee are being deposited with the U.S. Postal Service Express Mail Post Office to Addressee service under 37 CFR §1.10 on the date indicated above and is addressed to the Box Reissue, Commissioner for Patents, Washington, D.C. 20231

SANDRA KUBIN

Name of person mailing paper and fee

Signature of person mailing paper and fee

HAYNES AND BOONE, L.L.P.  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Telephone: 214/651-5634  
Facsimile: 214/651-5940



# COPY

Attorney Docket No. 30545.66  
Customer No. 000027683

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:  
Harold O. Treece

Serial No.:  
Divisional Reissue of US  
Serial No. 09/970,432

Filed: herewith

For:  
UNIVERSAL CEMENTING PLUG

BOX: PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

§ Art Unit: 3671  
§ Examiner: Novosad, Christopher J.  
§  
§ Attorney Docket No.: 30545.65  
§ Customer No.: 000027683  
§

### DIVISIONAL REISSUE PATENT APPLICATION TRANSMITTAL

Dear Sir:

Enclosed are the following regarding the above-identified patent application:

1. Fee Transmittal Form;
2. Application Data Sheet;
3. Preliminary Amendment;
4. copies of documents from parent application (serial No. 09/970,432):
  - Reissue Oath/Declaration;
  - Preliminary Amendment filed on October 3, 2001
  - Amendment filed August 29, 2002
  - Response to Office Action Mailed September 16, 2002 filed October 10, 2002 (restriction/election);
5. check \$3042.00; and
6. return receipt postcard

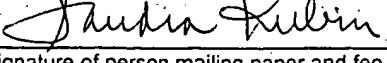
The Commissioner is hereby authorized to charge payment of any further fees associated with any of the papers submitted herewith or to credit any overpayment to Deposit Account No. 08-1394.

Respectfully submitted,

  
Warren B. Kice  
Reg. No. 22,732

Date: 11/27/02  
HAYNES AND BOONE, LLP  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Telephone: 214-651-5634  
Facsimile: 214-651-5940  
File: 30545.65

D-1079140\_1.DOC

CERTIFICATE OF EXPRESS MAIL	
Express Mail No.: EL828067049US	
Date: November 27, 2002	
I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to the Box Patent Application; Commissioner for Patents, Washington, D.C., 20231.	
SANDRA KUBIN	
Typed Name of person mailing paper and fee	
	
Signature of person mailing paper and fee	

**COPY**

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

O P E R A T I O N S  
APR 10 2003  
P A T E N T & T R A D E M A R K O F F I C E

# FEES TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT	(\$)	3042.00
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Complete if Known	
Application Number	unknown
Filing Date	herewith
First Named Inventor	Harold O. Treece
Examiner Name	Novosad, Christopher J.
Group Art Unit	3671
Attorney Docket No.	30545.65

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																	
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number <b>08-1394</b> Deposit Account Name <b>Haynes and Boone, LLP</b> <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27				3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge - late filing fee or oath</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25 Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130 Non-English specification</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520 For filing a request for ex parte reexamination</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920* Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840* Requesting publication of SIR after Examiner action</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55 Extension for reply within first month</td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200 Extension for reply within second month</td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460 Extension for reply within third month</td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720 Extension for reply within fourth month</td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980 Extension for reply within fifth month</td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160 Notice of Appeal</td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160 Filing a brief in support of an appeal</td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140 Request for oral hearing</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510 Petition to institute a public use proceeding</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive - unavoidable</td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640 Petition to revive - unintentional</td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640 Utility issue fee (or reissue)</td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230 Design issue fee</td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310 Plant issue fee</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130 Petitions to the Commissioner</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50 Processing fee under 37 CFR 1.17(q)</td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180 Submission of Information Disclosure Stmt</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40 Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370 Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370 For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370 Request for Continued Examination (RCE)</td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900 Request for expedited examination of a design application</td></tr> <tr><td colspan="4">Other fee (specify) _____</td></tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td>SUBTOTAL (3) (\$)</td> <td>0.00</td> </tr> </tbody> </table>				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105	130	205	65 Surcharge - late filing fee or oath	127	50	227	25 Surcharge - late provisional filing fee or cover sheet	139	130	139	130 Non-English specification	147	2,520	147	2,520 For filing a request for ex parte reexamination	112	920*	112	920* Requesting publication of SIR prior to Examiner action	113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	115	110	215	55 Extension for reply within first month	116	400	216	200 Extension for reply within second month	117	920	217	460 Extension for reply within third month	118	1,440	218	720 Extension for reply within fourth month	128	1,960	228	980 Extension for reply within fifth month	119	320	219	160 Notice of Appeal	120	320	220	160 Filing a brief in support of an appeal	121	280	221	140 Request for oral hearing	138	1,510	138	1,510 Petition to institute a public use proceeding	140	110	240	55 Petition to revive - unavoidable	141	1,280	241	640 Petition to revive - unintentional	142	1,280	242	640 Utility issue fee (or reissue)	143	460	243	230 Design issue fee	144	620	244	310 Plant issue fee	122	130	122	130 Petitions to the Commissioner	123	50	123	50 Processing fee under 37 CFR 1.17(q)	126	180	126	180 Submission of Information Disclosure Stmt	581	40	581	40 Recording each patent assignment per property (times number of properties)	146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))	149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	179	740	279	370 Request for Continued Examination (RCE)	169	900	169	900 Request for expedited examination of a design application	Other fee (specify) _____				*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$)	0.00
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**or number previously paid, if greater; For Reissues, see above																																																																																																																																					

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Warren B. Kice	Registration No. (Attorney/Agent)	22,732	Telephone 214-651-5634
Signature			Date	11/27/02

D-1081059.1

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Customer No. 000027683

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.